



**Fremont Conservation Commission  
Minutes of  
September 8, 2014**

Present: Chairman Bill Knee, Co-chairman Janice O'Brien, and Alt/Recording Secretary Meredith Bolduc.

On March 15, 2010 Chrm. Karcz designated Alternate Leanne Miner to fill the vacancy on the Conservation Commission until such time as the Selectmen have appointed someone to fill that vacancy (allowed by NH RSA 673:12, III). That appointment remains in effect.

Chrm. Knee opened the meeting at 7:10 pm.

Chrm. Knee appointed Mrs. Bolduc as a voting member for tonight's meeting in Mbr. deBeer's place.

**MINUTES**

Mbr. O'Brien made the motion to approve the minutes of the August 18, 2014 meeting as written. Chrm. Knee seconded the motion with unanimous favorable vote.

**FALL FOLIAGE HIKE**

It was noted as a reminder that the Fall Foliage Hike is scheduled for 1:30 pm on Saturday October 18, 2014.

The hike will include two parts.

- Part 1: The new Cooperage Trail connecting the back of the Spaulding Road housing development with Beede Hill Road.
- Part 2: The hikers will relocate to the Glen Oakes Town Forest at the end of Andreski Drive (Arriving there about 2:30)

**SOUTH EAST LAND TRUST – GARRISON PROPERTY**

Map 4 Lot 98

David Viale, Land Protection & Stewardship Specialist with Southeast Land Trust of NH was scheduled to meet with the Commission to share additional information relative to the land acquisition and conservation easement for the Donna Garrison property located at Map 04, Lot 98, off Calef Rd (Rte. 125). However, the Commission received an e-mail from Mr. Viale this

afternoon saying that due to illness he is unable to attend tonight's meeting and will reschedule for the Commission's October 6, 2014 meeting.

In his e-mail message Mr. Viale related the following information.

- 1) We were able to work out an agreement with Mrs. Garrison that enabled her to sign the NRCS wetland easement agreement – so the money for the purchase of the conservation easement has been secured. This of course is contingent on her transferring the ownership of the land to a conservation entity (Land Trust or Town), but at least the funding is secured.
- 2) The NH DES Aquatic Resources Mitigation grant committee will be conducting a site walk on Oct. 21<sup>st</sup>. It would be great to have a Fremont CC member attend if possible. Walk will probably be sometime between 8am and 2pm...awaiting details from NH DES.

In the meantime, ARM has asked if there are any letters of support from the Town, or if the minutes which reflect the matching funds for the appraisal (which you voted on last meeting) can be shared. These materials would bolster the application and help update the committee of the status of the project.

- 3) Did the CC check in with the Town legal counsel regarding the expenditure of the funds for the appraisal (even though a small fraction of the land is in Brentwood). It's my understanding that the expenditure would be perfectly legitimate, but didn't want to go forth with the appraisal until I got confirmation from you that it was OK.
- 4) I can be prepared to discuss options with the CC during your October meeting (or sooner if you want to schedule sooner). In the meantime we may want to consider cancelling our non-public meeting with the BOS (on the 11<sup>th</sup>). That said, I'm comfortable going forward with the meeting to present the project and hear their feedback. I think realistic options to have a town interest in the property are:
  - a. Town holds a "reverter interest" on the property located in Fremont. The Land Trust would own it, but should we ever cease to exist, or try to transfer the land, the Town could exercise a right to take ownership. The Land Trust would own the property in Brentwood. Both portions of the property (Fremont and Brentwood) would be subject to the NRCS Wetlands Reserve Easement. A sub-division would not be necessary. We could divide the appraised value (price per acre) by the number of acres in Fremont and therefore the Town could spend money only on the land in Fremont.
  - b. Town owns the land in Fremont and Land Trust owns the land in Brentwood. No subdivision needed.

As we previously discussed, the Land Trust prefers option A. as it seems a more natural fit given that the land trust owns the abutting Kelliher Forest which is also subject to an NRCS conservation easement and which contains the rest of the wetland system which extends onto the Garrison property. Both options involve essentially the same process. We've done reverter interests with other towns and can provide examples.

The Members discussed the information Mr. Viale submitted and responded as follows:

1. The Members were pleased that an agreement has been reached with Mrs. Garrison that enabled her to sign the NRCS wetland easement agreement and the money for the purchase of the conservation easement has been secured.
2. October 21, 2014 is a weekday and Mbr. O'Brien said she will not be able to attend the site walk. Mr. Knee will ask Mr. Viale to let him know when the time of day has been scheduled and if it is after 2:30 he may be able to attend. The other Commission Members will be notified of the site walk in case they could attend. As requested, Mrs. Bolduc will forward to Mr. Viale the CC minutes of August 18, 2014 that reflect the vote for the matching funds for the appraisal.
3. The Commission sought the opinion of the legal team at the NH Local Government Center relative to expending funds for appraisal or land purchase, given that the Town has not adopted NH RSA 36-A: 4-a, and it is the Commission's understanding that they can expend funds with the understanding that the intended outcome would be for the Town to obtain some kind of ownership interest.
4. Mr. Viale will be asked to provide an example of "reverter interests" that are in place with other towns and if there is additional expenditure required with a reverter interest is exercised.

It was agreed that the September 11, 2014 appointment with the Selectmen to discuss land acquisition will be cancelled and rescheduled at a later date.

#### TOWN FOREST

Wildlife and Forest Management Plan: Mrs. Bolduc reported she has spoken with Forester Charlie Moreno who said he will start on the plan sometime in September and it should be finished and invoiced by December 1, 2014. He said he will probably meet with the Board at their November meeting to go over the plan.

#### TREASURERS REPORT

The Commission received and reviewed the Conservation Commission Account Balance Report as of July 31, 2014 from Town Treasurer.

#### BUDGET/EXPENDITURE REPORT

The Commission received and reviewed the Conservation Commission expenditure report as of August 31, 2014.

#### CORRESPONDENCE

The Commission received from Eben Lewis, Compliance Specialist with NHDES a copy of an August 27, 2014 letter of compliance to Michael St. Laurent of 191 Main Street, Map 3 Lot 152,

stating that wetland violations on his property have been corrected and the DES will close its enforcement file regarding the property at this time.

#### CONSERVATION EASEMENT MONITORING

Google spreadsheets of the Town held Conservation Easements:

The easements include:

<b>3615/702</b>	<b>Conservation Easement Cornerstone Estates/Dakota Realty Trust 1-35-8, 1-35-9 and p/o 1-35</b>	<b>D-28735</b>
<b>3972/1691</b>	<b>Conservation Easement Tuck Woods 6-64-21, 6-64-22 and 6-64-23</b>	<b>D-30397</b>
<b>4247/1418</b>	<b>Conservation Easement Tuck Woods OS, OS2, OS3</b>	<b>D-31333</b>
<b>4342/1206</b>	<b>Conservation Restriction Deed Not to Further Subdivide Spruce Hill Map 6 Lot 50</b>	<b>D-31622</b>
<b>4408/1234</b>	<b>Conservation Restriction Deed Seacoast United Soccer Club p/o 20-1</b>	<b>D-31731</b>
<b>4435/1986</b>	<b>Conservation Easement Fremont Pizzeria p/o Tax Map 3 Lot 120</b>	<b>D-31624</b>
<b>4890/1139</b>	<b>Conservation Easement Scribner Estates Easement 13</b>	<b>D-31121</b>

#### WORKING PLAN

The following is a working plan with some results in *italics*.

- Set up a monitoring scheduled for the Town owned Conservation Easements.  
(As the holder of an easement, the Town is obligated to monitor each easement once per year.)  
Compile a list of land with conservation easements. *This is done.*
  - Get copies of each easement.
  - Generate a checklist for each easement.
- Prospective Oak Ridge Easement: *This is done.*
- Review the obligations for grants already awarded including.
  1. Land & Water Conservation Fund (set up for the acquisition of Oak Ridge)
  2. Moose Plate, Recreational Trails Program, PREP Transaction Grant
  3. Smith property: Davis, Fields Pond, Cricket and Wharton, Moose Plate and LCHIP, PREP.
- Glen Oakes Forest & Wildlife Management Plan - Review for updates.
- Oak Ridge Management Plan - Review for updates.
  
- Natural Resource Inventory – Review for recommendations for updates of information and maps.
- Earth Day event (s) for the current year.
- Biothon – discuss a possible event for the current year.
- Reorganization of the Conservation Commission.
- Budget for the following year.
- Compiled of all of the grants that have been awarded to the Town and create a checklist of the requirements of each grant that can be reviewed annually. Any future grant can be added to the compilation.

## EVENTS

Previous event suggestions included:

- Birds & bats
- Edible plants
- Wildlife cover
- Sustainable agriculture
- A butterfly garden
- School program that would involve growing plants.
- A presentation on sustainable agriculture.
- Community garden

At 7:50 Mbr. O'Brien made the motion to adjourn.  
Motion seconded by Chrm. Knee with unanimous favorable vote.

The next scheduled meeting is October 6, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

CC action item timeline.

January – Review obligations for grants already awarded.

February – Review Forest Management & Wildlife Plans: Oak Ridge & Glen Oakes.

March – Commission reorganization; events to be sponsored through the next year.

April –

May –

June-

July –

August – Budget review and approval for upcoming year

September – October: monitoring Town owned Conservation easements & reporting on same.

November – Review the NRI

December -